

Application number: 09/827788

Art Unit: 3625

Applicant: Khai Hee Kwan

Examiner: Naeem Haq

Title: Computer Network Method for conducting payment over a network by debiting and crediting telecommunication accounts.

Remarks in the claims

1. The examiner asserted that claims 33,34,37,38,40,41,44,45 and 47-59 are rejected under 35 USC 112 (First para).

The examiner provided no support for the above assertion by pointing to claims 33 and 40 as having limitations below lacking written description support in the original application. The examiner provided no reasoning as to said lacking and hence failed to establish a prima facie case (See MPEP 2163 (ed 2004) at page 2100-176 Col 2 Para A). While the examiner provided no prima facie evidence to show the assertion, the applicant submits without admitting the correctness of said assertion that such limitations have written description in support as shown in the table below.

Claim 33, 40, 53 have the following limitations	Support found in the original application as filed.
payment processor receiving at least the payer's account identifier, the transfer amount, the payee's account identifier upon initiation of a transaction over a first network from payer;	Page 11, line 1-10. In particular refers to payee as 'merchantid', transfer amount (cost) by "Ran". Also see page 14, line 5-10.

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payment processor transmitting said payer's account identifier, password and said amount to payer's telecommunication carrier provider for authentication;	<p>Page 14 line 19-22; " On receiving the mobile phone number....etc"</p> <p>Page 16 line 8-10 " On receiving the data.....etc."</p> <p>Account Authentication at page 22 "....This transaction is managed remotely by payment processor 40 querying the payer's telecommunication carrier.....etc"</p> <p>Also see page 23 under Processing Transaction at the Carrier "1. Account Validation. Lookup the customer's account based on the customer account number. Log the transaction. Respond to the payment processor. " and under " 3. Account Authentication. "</p>
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payment processor transmitting said payee's account identifier to payee's telecommunication carrier provider for authentication;	<p>See claim 1 as originally filed. "in the payment processor, upon receiving the account identifier of both payer and payee, responding with confirming the accounts with the respective telecommunication service provider's main processor over the network;"</p> <p>At Page 21 line 18-22 "The payment processor 40 identifies and verifies the payee, the payee's carrier, and the sub account number based on the payment transaction number and receives a confirmation from payment clearing, settlement and reporting services 50 <u>when this transaction is passed to the carrier.</u>"</p> <p>At page 24 line 11 starting at " 4. Account Crediting. Upon receiving instruction from Payment Clearing, Settlement and Reporting Services 50, lookup the payee's account and add amount paid by payer as credit entry in the sub account. Log the transaction. Respond to payment processor."</p>
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<p>whereby said payment processor is a single point of contact to process transactions between payer and payee having accounts with different telecommunication carrier providers without said providers communicating with each other over said networks.</p>	<p>See FIG 2 and 3 which clearly shows the structural network connecting payment processor as a single point of contact without said carriers connect to each other. Also see page 17 line 13-15 for FIG 2. “This credit connection 58 and debit connection 59 are performed by Payment Clearing, Settlement and Reporting Services 50 through connection 62 and controlled by Payment Processor 40. “ This describes that all transactions are controlled by Payment Processor by the single point connection 62.</p> <p>It is clear to those ordinary skilled in the art that both carriers in FIG 3 have no contacts with each other over the networks other than by Payment Processor. Otherwise, the examiner is respectfully asked to show how one ordinarily skilled in the art would be able to determine the carriers could communicate with each other in view of the FIGS and specification.</p>
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The written description, although it need not include information that is already known and available to the experienced public, must be in sufficient detail to satisfy the statutory requirements, employing "[w]ords, structures, FIGURES, DIAGRAMS, formulas, etc., that fully set forth the claimed invention." Lockwood v. American Airlines, Inc., 107

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F.3d 1565, 1572 (Fed. Cir. 1997). (emphasis mine)

Claims 34,41,54.

The applicant has amended them and support can be found at page 5 line 20 and page 11 line 8-9 of the specification as originally filed. Given the amendments, the previous rejection for the said claims is now moot.

As the examiner did not enlighten on the particulars failing to satisfy 35 USC 112 Para 1 for the remainder claims as stated above, therefore the applicant submits there is no basis for such a conclusion and ask the examiner to withdraw the rejection in view of the above support.

The applicant respectfully submits this application is now ready for allowance.

Yours truly,

A handwritten signature in black ink, appearing to be 'KH KWAN', with a stylized flourish extending to the right.

K H KWAN